

**CHANNEL ISLANDS NATIONAL MARINE SANCTUARY
SANCTUARY ADVISORY COUNCIL**

FINAL MEETING NOTES

July 18, 2003

9:00 AM – 4:15 PM

**Sheraton Four Points Hotel · Clipper Rooms
1050 Schooner Drive · Ventura Harbor · Ventura, CA**

Attending:

GOVERNMENT REPRESENTATIVES:

NATIONAL MARINE FISHERIES SERVICE

Member Mark Helvey
Alternate Christina Fahy

NATIONAL PARK SERVICE

Member Kate Faulkner (for Russell Galipeau)
Alternate Gary Davis

US DEPARTMENT OF DEFENSE

Member Alex Stone
Alternate Walter Schobel

US COAST GUARD

Alternate Daniel Hager (for Troy Rentz)

CALIFORNIA RESOURCES AGENCY

Alternate Melissa Miller-Henson

CALIFORNIA DEPARTMENT OF FISH AND GAME

Alternate John Ugoretz

CALIFORNIA COASTAL COMMISSION

Alternate Gary Timm

COUNTY OF SANTA BARBARA

Member Dianne Meester
Alternate Jackie Campbell

COMMUNITY REPRESENTATIVES:

TOURISM

Member Jeanette Webber [SAC Secretary]
Alternate Monica Baker

RECREATION

Member Jim Brye
Alternate Eric Kett

BUSINESS

Member Michael Hanrahan

CONSERVATION

Member Linda Krop
Alternate Greg Helms

FISHING

Member Harry Liqournik

RESEARCH

Alternate Dr. Dan Brumbaugh

PUBLIC AT-LARGE

Member Jon Clark [SAC Vice Chair]

PUBLIC AT-LARGE

Member Robert Duncan

NON-VOTING MEMBERS:

Channel Islands National Marine Sanctuary

Chris Mobley, Manager

Monterey Bay National Marine Sanctuary

Alternate: Sean Morton, Management Plan Coordinator

Absent:GOVERNMENT REPRESENTATIVES:**US COAST GUARD**

Member J. Wade Russell

MINERALS MANAGEMENT SERVICE

Member Drew Mayerson

Alternate Fred Piltz, Ph.D.

CALIFORNIA RESOURCES AGENCY

Member Brian Baird

CALIFORNIA DEPARTMENT OF FISH AND GAME

Member Marija Vojkovich

CALIFORNIA COASTAL COMMISSION

Member Rebecca Roth

COUNTY OF VENTURA

Member Lyn Krieger

Alternate Jack Peveler

COMMUNITY REPRESENTATIVES:**BUSINESS**

Alternate Darren Caesar

FISHING

Alternate1 Eric Hooper

Alternate2 Merit McCrea

EDUCATION

Member Craig Taylor

Alternate Barbara LaCorte

RESEARCH

Member Dr. Robert Warner

PUBLIC AT-LARGE

Alternate Richard Holt

PUBLIC AT-LARGE

Alternate Avie Guerra

PUBLIC AT-LARGE

Member Dr. Matthew Cahn [SAC Chair]

Alternate Roberta Cordero

NON-VOTING MEMBERS:**Monterey Bay National Marine Sanctuary**

Bill Douros, Sanctuary Superintendent

Gulf of the Farallones National Marine Sanctuary

Maria Brown, Acting Manager

Attendance

At roll call, 16 of the 20 voting seats were represented in the morning, and 14 of 20 in the afternoon. A total of 27 SAC representatives were in attendance for the day (14 members, 11 alternates, 2 non-voting). Public attendance peaked at about 40 individuals.

Administrative Business and Announcements***Introduction of New SAC Representatives***

Mike Murray introduced US Coast Guard Petty Officer Daniel Hager who is standing in as the SAC Coast Guard alternate until Troy Rentz's replacement is in place. Troy has been transferred to a post in Texas. Mike also announced that Barbara LaCorte, who was not able to attend the meeting, is the new education alternate. Greg Helms has been re-appointed as the conservation seat alternate.

Meeting Notes

Linda Krop found several errors in the draft May 16, 2003 meeting notes. She indicated that Environmental Defense was incorrectly identified, under *Council Member Announcements* page three, as holding a tenth Annual Benefit Auction. The auction was held by the Environmental Defense Center. Linda also indicated that Platform Gail was incorrectly identified, under the *Conservation Working Group* report on page 11, as the platform outfitted with vessel tracking radar. Platform Harvest is the correct platform. Contingent upon incorporation of these corrections the SAC adopted the draft meeting notes from the May 16, 2003 SAC meeting.

Manager's Report

Chris Mobley highlighted several items from the July 18, 2003 Sanctuary Manager's Report:

- A South Korean delegation working to implement a marine protected area at Jeju Island met with staff from the Channel Islands National Marine Sanctuary and National Marine Sanctuary Program Headquarters during their weeklong visit to the United States.
- The Channel Islands National Park and Channel Islands National Marine Sanctuary had an all hands meeting in which staff from both entities discussed efforts they are already making, and that they can make, to enhance their partnership.
- The marine reserves federal environmental review process is underway and this SAC meeting is part of the scoping for that process. A new and improved relationship with the Park may enable us to work with them on monitoring, enforcement and research in the existing reserves and also in any additional reserves.

Chris also made several other announcements:

- The NOAA Ship McArthur II is at the islands for approximately one week. The R/V *Shearwater* is providing support by shuttling supplies back and forth.
- There is no need for the SAC to write a letter regarding securing a slip for the R/V *Shearwater*. The Santa Barbara Harbor Commission voted to approve the recommendation for three end slips to accommodate the *Rachel G*, *Shearwater* and one other vessel. Chris noted that he hopes the Harbor will obtain funds to construct the slip and that the Sanctuary is looking for federal funds to help. He explained that a lump sum of federal construction funds for fiscal year 2004 could be used for slip construction and provided in lieu of rent.

Mike Murray mentioned that the management plan is close to entering the internal review process and moving along.

Mike also introduced Kris Herrington and Helene Scalliet, who are graduate students working with the Sanctuary on a marine reserves monitoring project. Helene explained that they are working on their Master's Degrees at the UCSB Bren School of Environmental Science and Management. They are focusing on recreational, non-consumptive values (using the travel-cost method) of marine reserves as part of a larger monitoring effort. They are surveying charter boat passengers and captains from San Luis Obispo to Los Angeles Counties. Information about their project (including how to contact them) was included in the SAC meeting packets. Kris explained that the SAC could assist in developing an incentives package for filling out the survey by identifying or contacting businesses that might make donations. She explained that they also need assistance gaining access to harbors and communicating to boat operators and passengers that their survey is legitimate and important.

SAC members then asked questions about the monitoring project. Harry Liquornik asked whether their survey clearly identifies whether people are traveling to see the Channel Islands or the MPAs. Kris replied that they will ask about both and try to determine how much activity the individual conducted in each. Mark Helvey indicated that they may want to look at Orange County as well since there may be a boat from Newport going to Santa Barbara Island. Kris responded that to their knowledge there were no boats going to the Channel Islands from Orange County but they would look into this further. Eric Kett asked whether people who do fish would be eliminated from the survey. Helene explained that the survey would differentiate between activities and offered to explain this further outside of the SAC meeting.

Council Member Announcements

Chris Mobley introduced intern Jacklyn Kelly who will help with the SAC meetings and other events during the summer.

John Ugoretz announced that Santa Barbara Harbor contacted Fish and Game concerned about the spread of Japanese brown algae found in the Harbor. John stated that it reproduces using sporophytes and segments broken off do not propagate like those of green algae such as *calerpa*. It is important to remove it now during its reproductive season. On July 17th fourteen divers from Channel Islands National Park and National Marine Sanctuary, UCSB, Santa Barbara ChannelKeeper and Fish and Game participated in removing the algae. It is present at Catalina Island and all harbors in Southern California and the biggest concern is that it not spread to the other islands. A poster has been placed in Santa Barbara Harbor to educate boaters and divers about the alga, and can be modified for use in other harbors.

Dan Brumbaugh announced that he attended the National MPA Advisory Council meeting last month as an observer. He would be happy to discuss the meeting with anyone who is interested.

Eric Kett apologized for missing recent working group meetings as his wife gave birth to their daughter on Monday, July 14th.

Kate Faulkner announced that Channel Islands National Park has been seeking funding for monitoring and enforcement and will receive full funding dedicated to a marine enforcement officer next year. The Park's draft General Management Plan will be released later this fall.

Sean Morton announced that the Monterey Bay National Marine Sanctuary recently released a set of 26 draft proposed action plans resulting from the Joint Management Plan Review of the central California sanctuaries. More information on the action plans and upcoming public meetings is on the Sanctuary's web site. The Gulf of the Farallones and Cordell Bank have also released their draft proposed action plans. A feasibility study for a Monterey Bay National Marine Sanctuary Visitor Center has also been released. This will be considered by their SAC as part of an action plan.

Michael Hanrahan announced that John Calambokidis would give a presentation on blue and humpback whales on July 20th at the Santa Barbara Museum of Natural History.

SAC Decision-Making Protocols

Mike Murray reviewed a handout that summarized the outcome of a SAC subcommittee meeting held on June 23. Subcommittee members Matt Cahn, Roberta Cordero, Drew Mayerson and Chris Mobley proposed general operational guidelines for the SAC in seven areas: 1) preference for use of a consensus approach; 2) limited role of Robert's Rules of Order; 3) advance noticing of SAC meeting action items; 4) preference for avoiding day-of-the-meeting surprise votes and actions; 5) voting and absentee clarifications; 6) importance of including minority views in SAC advice; 7) clarifications about SAC letter writing. Suggested additions included clarification on carrying over non-urgent draft letters for final approval at subsequent SAC meetings, and adding clarity on the role of alternates when their views differ from members. Incorporating these changes, the SAC approved by consensus the proposed protocols.

SAC Charter and Representation Changes

Chris Mobley referred to two items in the SAC meeting packet: 1) a memo from him to the SAC dated July 16, 2003, 2) an edited copy of the existing SAC charter. He explained that the charter has expired and needs to be updated. Proposed edits to the charter were developed by both CINMS staff, and staff of the National Marine Sanctuary Program. Much of the edits are non-discretionary such as updating the charter to reflect NOAA internal organization changes. Chris brought attention to several ideas contained within the July 16th memo:

- adding a Chumash seat to the SAC and reducing the number of public-at-large seats from three to two
- reducing community seat terms from three to two years

- clarify that the fishing seat has one alternate for recreational fishing and one alternate for commercial fishing

Harry Liquornik stated that he had no problem with labeling of his seat as “fishing” as long as which group (commercial, sport, recreational) is holding the seat positions (member, alternate 1, alternate 2) is made clear in the Charter.

Eric Kett pointed out past requests that a recreational fishing seat be added and stated that they have no representation on this Council. He stated that recreational users and recreational fishermen are very different, and the monitoring protocol for each is completely different. Eric also observed that he has often heard at SAC meetings that people don’t know how to reach recreational fishermen. Eric and Chris discussed the diversity among the recreational fishing constituency: charter boat captains, private boaters who fish recreationally, and people who work for recreational fishing organizations but do not engage in fishing activity. Eric indicated that he would like to see private boat recreational fisherman added as a SAC seat. Eric also noted that since alternates cannot vote if the seat member is present, if a recreational fishing seat is not added then a voting mechanism to address opposing views between members and alternates should be considered.

Linda Krop observed that many non-agency seats have diverse constituencies and the way to deal with this according to the charter is to have a working group that represents that diversity and allows for diverse interests to be heard. This is how the conservation seat and Conservation Working Group address the diverse conservation constituency. Dan Brumbaugh echoed these ideas. Linda supports the idea of two fishing seat alternates that ensure a mix of commercial and recreational interests and encourages the fishing seat to use a working group.

John Ugoretz suggested that if a separate recreational fishing seat is added, the existing recreational seat be designated as a non-consumptive recreational seat. He added that one could either make the case for the fishing seat to reach out, or for three fishing seats: one for party boats, one for commercial fishing, and one for recreational fishing. He also recommended removing two public-at-large seats in exchange for the new Chumash and fishing seats.

Harry Liquornik asked for clarification as to whether the recreational seat would be consumptive or non-consumptive. Eric Kett replied that all recreational fishermen get lumped into the consumptive category regardless of catch and release practices. Harry stated that he liked the working group idea and that it might be easier to target more non-consumptive use under the recreational or public-at-large seat.

Linda Krop asked whether it would be possible to expand the Council to 22 voting seats by adding one for the Chumash and one for recreational fishermen.

Kate Faulkner noted that it is important to consider managing the group and suggested that 20 seats be the limit with the discussion focused on how to arrange those 20 seats. Kate asked what the genesis was of the Chumash seat idea. Chris explained that the reasons were discussed at the last meeting and are outlined in the minutes.

Greg Helms indicated that it is important if there is a recreational fishing seat that the recreational seat be clearly distinguished as non-consumptive.

Robert Duncan suggested applying different criteria to the public-at-large seats to refine them. Michael Hanrahan suggested the same for the business seat.

Tom Raftican (a member of the public) observed that Harry does a good job trying to raise different views in fishing issues. He stated that the largest user group identified in the MRWG process was recreational anglers and it is a problem to not have them represented on the SAC. He also stated that there is an increasing trend toward catch-and-release fishing which is difficult to balance with the commercial fishing segment.

Chris Hoeflinger, a Ventura County commercial fisherman, stated that the SAC has non-consumptive use covered and it is important to look at consumptive use. He acknowledged that even within commercial fishing there are very different gears. He suggested that the Chumash as non-consumptive users could be covered under the conservation seat. He added that the Fish and Game Commission warned the Sanctuary at

its Riverside meeting that the SAC has not adequately considered consumptive interests.

Chris Mobley acknowledged that the SAC needs an effective fishing sub-group with broad representation and that it is important to maintain a reasonably sized Council. Chris pointed out that the Pacific Fishery Management Council is the appropriate body to represent various commercial fishing gear types, while the SAC has a much broader mission. He stated that he would like to add a Chumash seat and a recreational fishing seat, and clarified that the existing recreational seat should represent non-consumptive interests. He also clarified that each new seat would have an alternate and that both fishing seat alternates should represent commercial fishing. He announced his plan to forward a memo, and the edited charter which will be further edited to reflect his decision on seat changes, to National Marine Sanctuary Program Headquarters for clearance. Chris noted that Mike Murray would draft criteria for selecting the new seats and e-mail it to the SAC to solicit input. Gary Davis suggested that these new criteria be added to the SAC handbook and the charter.

Sean Morton noted that similar issues regarding SAC makeup have come up at the Monterey Bay National Marine Sanctuary, which is waiting to complete its management plan review process before addressing SAC makeup.

Jon Clark observed that everyone seemed to be able to accept the seat changes Chris Mobley would like to pursue.

Harry Liqournik questioned some of the language in the SAC charter, including the goals of the National Marine Sanctuary Program. In particular he asked about the addition of the phrase “sustainable use” to the Sanctuary Program goals section since he stated it is not clearly defined and no fisheries are rated sustainable on the west coast. He preferred the phrase “multiple use” which Greg Helms pointed out is still listed in the following bullet. Mike Murray responded that many of these changes reflect changes to the National Marine Sanctuary Program SAC charter template based on updates to the National Marine Sanctuaries Act. John Ugoretz expressed concern that if these are the actual goals of the National Program the SAC should not modify them in the charter. Chris Mobley stated that Sanctuary staff would follow up to determine whether this is the exact language of the goals as outlined in the Act.

Melissa Miller-Henson asked why SAC Charter language on page three under goals was changed from “shall” to “may.” Mike Murray explained that the Sanctuary cannot force the SAC to provide advice, but they may do so.

Public Comment

Chris Hoeflinger (Ventura County Commercial Fishermen’s Association) stated that it is important to recognize the difference between preserve and conserve in your language. He added that language like “sustainable” is dangerous unless you define what it is and how we get there.

Pete Dupuy of the Ventura County Commercial Fishermen’s Association indicated that we have the most regulated fishing in the world and there are many lies told about us [fishermen]. He add that young people need to take a hard look at things and think about how the Sanctuary wants to come in and regulate with everyone else.

Marine Reserves Enforcement

Harry Liquornik expressed disappointment with how enforcement officials and the media recently handled a Channel Islands marine reserves enforcement incident involving a local trap fisherman. Harry said that he needs to sit down with enforcement folks and define what is a misdemeanor, a mistake vs. intentional poaching, address gear drift, and consider regulatory changes regarding receivering of catch in reserves. He acknowledged that the SAC may not want to handle the latter which he will also pursue with Fish and Game. At a later time he may ask the SAC for comments, support or discussion on this matter.

Chris Mobley suggested that an explanation of the difference between catching and receivering, and how to distinguish between the two activities, should be provided if this issue is brought back to the SAC.

John Ugoretz acknowledged that this issue has been raised before the Fish and Game Commission, which will be considering it during their mid-August meeting. John also explained that a draft memo on the subject indicated that “on board” according to enforcement includes items attached to a vessel, while something not attached while in a reserve is not okay.

Harry concluded by adding that he will keep the SAC apprised of this matter and that reserve boundary issues (including using the Alaska example with different zones yielding different repercussions from warnings to felonies) need to be discussed as well.

Jon Clark suggested that the Ad Hoc Enforcement Group might discuss this in further detail and thanked Harry for the information.

SAC Working Group Reports

Sanctuary Education Team

Mike Murray explained that SET co-Chairs Craig Taylor and Barry Hummell are out of town. Mike summarized recent SET activity noting that a recent special event scheduled at Craig’s house was canceled, and that SET will be working to decide what comes next for the group. The SET Steering Committee will meet with Sanctuary staff in August.

Conservation Working Group

Linda Krop stated that the CWG met on June 26th and minutes for that meeting are available on the Sanctuary web site as well as in the SAC meeting packet. Linda reported that the working group’s priority issues outside of marine reserves and the management plan include acoustics, large vessel traffic, water quality and invasive species. They are developing draft recommendations to identify potential impacts to Sanctuary resources and mitigation measures. For more details Linda can provide contact information for the acoustics subcommittee.

Linda offered apologies regarding the subcommittee on large vessel traffic, acknowledging that many people believed this group was looking at all vessels including fishing vessels. She clarified that they are only looking into large vessels such as cargo ships, and associated issues such as ballast water, invasive species and ship strikes. She stated that no one is monitoring large vessel traffic in the Sanctuary. To Walt Schobel’s inquiry as to how far beyond the Sanctuary boundary the subcommittee is looking, Linda replied they are looking within the bounds of the management plan study area (Point Sal to Point Mugu) while the main focus is the existing Sanctuary. Linda explained that there are two baseline analysis opportunities: supporting efforts for enhancing vessel traffic monitoring at Port Hueneme to the south, and at Platform Harvest to the northwest.

Greg Helms added that it is important that the Sanctuary: support a vessel tracking system (VTS), partner and use existing data from Platform Harvest, and assess the level of use and potential hazards in cooperation with national and international systems. He noted that a private/public partnership including the US Coast Guard is applying for federal funds and interested in receiving support. Greg stated that The Ocean Conservancy had sent a letter of support. He also stated that there is an intrinsic benefit to the Sanctuary and public as vessel traffic increases, especially in the narrow east end of the Channel. Also, Greg indicated that major ports have elaborate color radar systems that include a ship’s registry, the contents of their cargo, and other information, unlike our ports.

Chris Mobley indicated that the SAC, Sanctuary, and possibly the Park, could write letters of support.

Walt Schobel asked for clarification as to what Linda and Greg requested. Linda explained that they were asking the Sanctuary to support a grant proposal for a Port Hueneme vessel traffic tracking system. This will aid in developing an inventory that can then be used to determine potential air and noise impacts.

Jackie Campbell asked whether there are other mechanisms that track vessel traffic. Sean Hastings replied that the Sanctuary’s SAMSAP program includes weekly aerial monitoring surveys that provide information on large ships. However, VTTS is real time and can provide information on the frequency and number of

ships, and might allow us to take preventative actions.

Harry Liquornik indicated that there is limited tracking on Platform Harvest and asked if there was any such system in the Port Hueneme area yet. He suggested starting with radar tracking from Port Hueneme. Linda responded that part of the working group's recommendation is to work with operators of other tracking systems and learn more about what they are tracking. The working group was not able to acquire this information yet. Harry asked whether it would be more appropriate for the Ports and Harbors working group to address this issue. Greg Helms indicated that he would be happy to work with them.

Several SAC members asked for more information on the purpose of the vessel traffic tracking system. Linda acknowledged that the purpose is to improve vessel safety, avoid ship collisions, and a whole host of other issues. She explained that the Sanctuary is limited in what it can do but it can take information and work with other agencies to protect resources. Walt indicated that this should be mentioned as a safety device since cargo information can be found elsewhere.

Eric Kett asked about the urgency of the letter and how the gross tonnage is used to designate a vessel as large. Greg agreed to discuss the tonnage with Eric later as there are many ways to measure it.

Bill Buenger, Executive Director of Port Hueneme, provided several comments on this issue. He explained that VTS is primarily for traffic control, not for cargo information. The LA/Long Beach VTS tracks all large vessels up to the south entrance of the Channel. It provides information on the ship's registry and some information from the cargo manifest. However, information on air emissions would need to be acquired from the shipping line directly. He noted that the Port Hueneme Safety Committee determined it is unnecessary for traffic control since all ships are in contact with pilots, the navy and wharfingers. He added that traffic in and out of Port Hueneme only goes in one direction at a given time and it is a safe system. Mr. Buenger conceded that for the great majority of traffic passing through the Santa Barbara Channel there is no tracking information. He concluded by stating that he is glad to discuss this further.

Chris Mobley inquired as to why there is a grant proposal if the existing system is adequate. Bill Buenger explained that the LA/Long Beach Marine Exchange is the proponent of the grant proposal and it is in their best interest to acquire more subscribers to their system. Mr. Buenger and Chris then discussed whether the marginal increase in safety from adding a VTS warrants the project.

SAC members then discussed the coverage that could be provided by the LA/Long Beach Marine Exchange. Greg Helms explained that the idea is to provide the same type of coverage that goes south of Point Mugu all the way up the Santa Barbara Channel through a repeater system. Mr. Buenger explained that it is private, but funded by carriers, ports and with the US Coast Guard. To Walt Schobel's question of whether there is public use of data for NOAA boats, Mr. Buenger replied that it would probably be provided. While Jon Clark suggested that the US Coast Guard SAC representative could probably assist with this, Petty Officer Daniel Hager said that this would best be addressed through Coast Guard representatives from the LA/Long Beach area.

Dan Brumbaugh expressed uneasiness with supporting a grant proposal the SAC does not know much about, especially when they do not know about competing grant proposals. The SAC decided to reconsider this at the next meeting.

Business Working Group

Michael Hanrahan explained that the Business Working Group met for a second time on July 15th with excellent support from staff. He noted that the turnout was extremely low. While they sent over 80 email invitations to select businesses only six individuals participated. He had also spoken to Harry and Merit about how to get commercial and sport fishing businesses at the meeting. The owner and captain of *Seabiscuit* sportfishing out of Santa Barbara, and Sandy Delano attended.

The purpose of the meeting was to make clear the goals of the SAC and this working group, with the main purpose to collect marine reserves scoping comments.

Michael explained that since he could not attend the afternoon scoping session he would provide comments at this point. He read comments out loud and explained that these are available upon request. Some of the quotes he read aloud included the following: "Not another inch of reserves," "Damage is done," and "We're getting hit from all sides by Federal and State agencies."

Ad Hoc Enforcement Group

Robert Duncan stated that the enforcement committee had held its eighth meeting and is now awaiting agency enforcement MOUs to come together. The Ad hoc Group is working on recommendations for the SAC to consider at the next meeting and also working on a brochure to assist the Sanctuary's Marine Watch program. He explained that they want to emphasize the optimistic and positive sides of the Sanctuary, adding that they want to make their focus more educational than enforcement based. They could provide information on VHF channel three, and note that information on marine reserves is available on the web site. Robert provided a hand out with meeting notes providing more details.

Robert also stated that at the next SAC meeting he will have a mock brochure to disseminate to Fish and Game, the Sanctuary and Park, and he will also discuss the Marine Watch program.

Chris Mobley acknowledged that the Sanctuary education staff found the last Ad hoc Group meeting very productive and found the feedback very helpful.

Sean Hastings added that Fish and Game (the lead on cooperative enforcement), NOAA Office of Law Enforcement, and Channel Islands National Park met last week to draft language on cooperative enforcement and discuss cross-deputization. Sean acknowledged that while there are higher-level agreements among these agencies there is still a need to figure out how they will work together locally. He also cited the example of Fish and Game wardens who were recently trained and cross-deputized to enforce Monterey Bay National Marine Sanctuary regulations. He suggested that we could do the same here at the Channel Islands National Marine Sanctuary.

Another piece of information Sean shared was that 16 Channel Islands Naturalist Corps volunteers have adopted businesses to make sure they are stocked with brochures. Sean noted that he has a list of businesses that were sent information on marine reserves and he would like input from the SAC as to whether any businesses should be added.

Jim Brye stated that in addition to Robert Duncan, Chris Mobley and Sean Hastings are to be congratulated since in a matter of weeks they are now almost ready to present a new brochure to the public.

Fishing Working Group

Harry Liquornik indicated that there has been no fishing working group meetings for a very long time. He added that they had held a fair number of meetings previously to develop marine reserve alternatives since the group had to craft their own alternatives to get their views out. Harry welcomed input from Eric Kett or others if they would like to get the fishing working group together.

Scoping Meeting for Consideration of Marine Reserves

Presentation

Sean Hastings provided an overview presentation on the history of the marine reserves process, including the history of the SAC Marine Reserves Working Group. This presentation explained the process that led to the existing marine protected areas (MPAs) designated by the California Fish and Game Commission within the State waters of the Sanctuary, and the current federal environmental review process to consider marine reserves in the Sanctuary.

Public Scoping Comments on Environmental Review Process for Consideration of Marine Reserves

Don Howe (Dive Instructor, Industrial Health and Safety Consultant)

- Has observed ecosystem degradation over last decade
- Results of coral reef MPAs have been striking – biologically and economically (positive)

- All economic entities in this region would benefit from short term aggressive protection to assure ecosystem and economic health

Dan Toomey (Recreational Fisherman, Diver)

- Sanctuary staff appear biased in favor of marine reserves
- Do not feel the process has been fair, and it should not be relied on for the next decision
- Existing federal fishing management is extensive- do not need sanctuary assistance
- Include the stakeholders more extensively

Chris Hoeflinger (Ventura County Commercial Fishermen's Association)

- Initial push for MPAs was made during an El Niño. Resources are now making a rebound- consider this
- Science panel work was not adequately peer reviewed – sustainable fisheries part especially. PFMC critique should be answered to
- Fishery management has changed significantly since the Science Panel made size recommendation
- MPAs have created fishing displacement: fishing harder in open areas – consider permit system to reduce effort
- Need to consider mitigation to affected parties
- Consider use of phasing in reserves
- Range of alternatives should include something smaller
- Wait 10 years before moving forward
- Allow some commercial fishing to be grandfathered in. Effort will go away in time.
- Pelagic species will not benefit from reserves
- Need baseline data in place first so that effectiveness of reserves can be measured
- Consider letting PFMC expand their authority to manage other species within the Sanctuary to achieve same goals under the Magnuson-Act, not National Marine Sanctuaries Act.

Tom Raftican (Recreational Fisherman, United Anglers of Southern California)

- Recreational anglers are largest user group at Channel Islands and contribute the most economically to conservation, and have suffered the most from MPAs.
- Increase voice of recreational fishing on the SAC
- United Anglers economic survey showed decrease in 70% in party boats
- Next stage cannot cause additional economic impact on recreational fishing
- Consider marine parks. They are more flexible and can be fine-tuned. Still allows for public use
- “Yosemite of the Pacific” should allow for recreational fishing
- Still need a baseline to understand if existing MPAs are working
- Do not create more MPAs until success or failure of existing sites is known
- Sanctuary staff does not include fisheries management expertise. PFMC and SSC should be closely involved and fisheries managers should be on CINMS staff.

Joel Greenburg (Recreational Fisherman)

- Agree with Toomey, Raftican and Hoeflinger's comments
- PFMC closures have had big impacts on recreational fishing
- Full range of species must be considered, but sanctuary does not have needed expertise
- Sanctuary should not be in fisheries management
- Other SAC Chairs do not agree that sanctuaries should do this
- The designation document is a treaty – it should not be broken

Dan Fink

- Add two seats on the SAC for recreational fishing
- CINMS is trying to take over fisheries management and would create a third agency to deal with (along with DFG and PFMC)

Dan Pierson

- Marine reserves are a good idea. Population growing while resources remain steady
- Keep reserves as large as possible

Leigh Ann Grabowsky (Channel Keeper)

- Channel Keeper strongly supports marine reserves
- Consider that reserves are only in 1% of US waters

Heather Coleman

- Support unfished areas for others to enjoy

Cameron Benson (Environmental Defense, representing 300,000 members)

- Sanctuary is a public resource
- Legal mandate for CINMS is to protect and restore the ecosystem
- There are other factors as to why fishing businesses are struggling

David Steverman

- The better fishermen will survive as pressure on fish increases

SAC Scoping Comments on Environmental Review Process for Consideration of Marine Reserves

The list below details specific issues and comments that the SAC agreed to by a consensus of voting representatives present (see Attachment 1 for list of participants), and which the Council agreed should be considered in the environmental review process.

- Utilize work from the Marine Reserves Working Group, addressing both areas of consensus and non-consensus. Build on the existing State environmental process documents and information.
- Describe the State marine reserves network and what is missing for ecosystem/species protection.
- Include an alternative that considers all representative species, features and habitats around the Channel Islands, with varying degrees of connectivity.
- Maintain an open public process.
- Clarify the decision-making process in the environmental documentation.
- Beyond what is provided in the State's final environmental document on Channel Islands MPAs, more clearly define the purpose and need for considering additional marine reserves.
- National Environmental Policy Act (NEPA) documents need to address public input and be unbiased.
- Keep the marine reserves and management plan NEPA processes separate. Time is of the essence; there has already been four years of community process and it is critical to move forward.
- Note that obtaining before and after biological data from potential reserve areas is ideal, but inferences can be made using response trajectories to evaluate the effectiveness of reserves.
- Note that reserve size will determine the scale and timing of effects, i.e. small reserves will have a smaller effect and take longer to realize versus larger reserves. Use a statistical power analysis to analyze different reserve sizes.
- Look at how phasing will provide costs and benefits to the resources and to the economies over time.
- The set-up of monitoring sites and a monitoring program should begin now.
- Identify State and federal connectivity for a network approach.
- Consider the insurance factor and catastrophic events.
- Describe the agency's commitment and processes to demonstrate long-term management.
- Consider the socioeconomic effects of the groundfish closures.

- Consider multiple use or limited fishing area alternatives.
- Recreational fishing impacts on resources need to be considered.
- In the environmental setting and management sections of the EIS, consider impacts from land-based and other sources, such as water quality, fiber optic cables, seismic surveys and military noise.
- Analyze positive and negative impacts to consumptive and non-consumptive users over time.
- Describe the baseline information on the socioeconomics and biology of the area, especially for monitoring and assessment.
- Utilize baseline data from PISCO, the USCB Love Lab, the Channel Islands National Park and a wealth of other existing data sources.
- Establish socioeconomic impact thresholds of significance (as required by NEPA).
- Acknowledge and thank the public for providing input at the scoping meetings.
- The Sanctuary is encouraged to continue working with its agency partners. There needs to be strong coordination and interaction between the Pacific Fishery Management Council (PFMC) and Sanctuary.
- The recommendation chosen by the State was developed jointly by the California Department of Fish and Game and the Sanctuary. This recommendation should be one of the alternatives considered.
- Make the process as clear as possible to the public. Also, the existing reserves need to be clearly explained and depicted to Sanctuary visitors.

In addition to the above comments, which were agreed to by consensus for inclusion in a SAC letter, the following additional comments could not be agreed to by consensus. The SAC agreed that these additional comments, along with statements that had been produced by SAC working groups, would be attached to the Council's scoping comment letter

- Kate Faulkner, National Park Service.
 - Additional processes and new studies are not necessary. There is plenty of work to date on which to base a decision.
- Greg Helms, Conservation Alternate
 - The Marine Reserves Working Group debated a complete network in Sanctuary waters, but the State action has only implemented 40% of the network. The reserve network is incomplete.
 - Fishery management authority should not be transferred to the Sanctuary, but authority for marine reserves/zoning should be because it is not fishery management, it is ecosystem management.
 - Consider marine reserves, fully protected areas, as the principle tool because: 1) reserves provide equity between recreational and commercial fishermen; 2) reserves are easier to enforce (consider what is required from and the inefficiencies associated with enforcement of limited take areas); 3) reserves can also help pelagic species. Movement of pelagic species are not random, but based on specific habitat, feeding and breeding areas, that can and should be established as marine reserves.
- Jim Brye, Recreation Member
 - The Sanctuary taking on a fishery management role is a major departure from the Sanctuary serving as a community catalyst and coordinator. Uncertain the Sanctuary is ready for fishery management responsibilities.
- Eric Kett, Recreation Alternate
 - Baseline data to determine the effectiveness of marine reserves is extremely important but doesn't exist. Note that only 2 of 160 studies on marine reserves around the world had baseline data.

- Although shallow sub-tidal habitat was ranked most important for monitoring at a recent workshop on the Channel Islands MPAs, there are no monitoring sites at two of the islands. Effectiveness cannot be determined without pre-marine reserve monitoring.
- Independent data sites are needed in and out of reserves. Consider monitoring sites that scientists select for a number of years before starting to enforce reserves.
- Harry Liquornik, Fishing Member
 - Look at the authority of the Pacific Fishery Management Council (PFMC) and consider an alternative with the PFMC as the lead agency instead of the Sanctuary. One rationale for this approach is that outside of the Sanctuary the PFMC is more appropriate for designating complimentary federal reserves adjacent to state waters (complimenting Marine Life Protection Act actions).

Future SAC Meeting Schedule and Agenda Topics

It was announced that the next meeting will be held Friday, September 19th in Santa Barbara. The final meeting of the year will be held Friday, November 14th in Ventura. An e-mail will be coming to SAC members soon to propose available dates for a SAC retreat to be held in October, 2003.

The Meeting adjourned at approximately 4:30 PM.

Meeting notes respectfully submitted by:

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and Michael Murray (michael.murray@noaa.gov)
Channel Islands National Marine Sanctuary*

ATTACHMENT 1

**Voting Seats Participating at the July 18th Sanctuary Advisory Council Meeting
during the Marine Reserves Scoping Comment Session**

Voting Seats Present during Scoping Session:

Tourism – member and alternate
Recreation – member and alternate
Conservation – member and alternate
Fishing member
Research alternate
Public At-Large #1 member
Public At-Large #2 member
National Marine Fisheries Service member and alternate
National Park Service member and alternate
Department of Defense alternate
California Department of Fish and Game alternate
California Resources Agency alternate
California Coastal Commission alternate
Santa Barbara County – member and alternate

Voting Seats Absent for Scoping Session:

Business – member and alternate
Education – member and alternate
Public At-Large #3 – member and alternate
Minerals Management Service – member and alternate
U.S. Coast Guard – member and alternate
Ventura County – member and alternate